

185125

2006-395-T

COPY
Posted: D. Duke
Dept: SA
Date: 3-28-07

State Of South Carolina

Re: Compliance Review Requested

Name of Motor Carrier

ON THE GO DELIVERIES INC

Action Taken:

_____ Referred for a Compliance Review

Date: _____

Investigator: _____

Compliance Review Findings:

☒ Satisfactory Rating

_____ Unsatisfactory Rating

_____ Compliance Review does not receive a rating

Lt. Col. Terry S. Hargis
Compliance Review Officers
3/28/07

RECEIVED

MAR 28 2007

PSC SC
MAIL / DMS

MCCU REVIEW SUMMARY SHEET



NAME of CARRIER/SHIPPER: On The Go Deliveries Inc.

TYPE of REVIEW: ☒ COMPLIANCE REVIEW ☐ SHIPPER REVIEW ☐ CARGO TANK REVIEW ☐ SAFETY AUDIT ☐ SCR

☒ ☐
DOT/ICC # 1274811

OPERATING AUTHORITY: ☒ INTERSTATE ☒ INTRASTATE

REVIEW DATES: DATE STARTED 3/23/2007
DATE FINISHED 3/29/2007 TOTAL HOURS 40

ENFORCEMENT RECOMMENDATIONS: If yes list which violations
INVESTIGATING OFFICER: ☐ YES ☐ NO Explain why or why not in "Remarks" area
SUPERVISOR: ☐ YES ☐ NO Explain why or why not in "Remarks" area
ENFORCEMENT PREAPPROVAL via FMCSA: If yes list which violations in remarks
☐ YES ☐ NO

ENFORCEMENT DATES: DATE STARTED _____
DATE FINISHED _____ TOTAL HOURS _____

CHECK if APPLICABLE: ☐ PSC AUTHORITY ☐ PROFILE RAN ☐ COMPLAINT ☐ HM SHIPPER ☐ HM CARRIER ☒ IFTA ☒ IRP
☐ OPS AUTHORITY

SAFESTAT LIST: ☐ A ☐ B ☐ C ☐ D ☐ E ☐ HM ☐ BUS ☒ OTHER ☐ STP SHIPPER LIST

REVIEW RATING: Satisfactory OOS RULE: If applicable ☐ 45 DAYS ☐ 60 DAYS

REVIEW COPIES: Check when completed
FMCSA: ☒ UPLOADED TO MCMIS ☒ SCANNED TO FMCSA

MCC OFFICE: ☒ EMAILED NOTICE TO MCC ☒ PART A TO MCC

SAFETY NET: ☒ COPY TO TRISH

CASE COPIES: Check when completed
FMCSA: ☐ 1 EXPORT TO DISKETTE ☐ 1 PAPER COPY

SAFETY NET: ☐ 1 EXPORT TO DISKETTE ☐ ORIGINAL & 1 PAPER COPY

INVESTIGATOR NAME: Terry W. Harvey STP CODE: SC0036

Remarks: _____



US DOT #
1274811

Legal: ON THE GO DELIVERIES INC
Operating (DBA):

MC/MX #: 529898

Federal Tax ID: [REDACTED]

Review Type: Compliance Review (CR)

Scope: Principal Office

Location of Review/Audit: Company facility in the U. S.

Territory:

Operation Types Interstate Intrastate

Carrier: Non-HM Non-HM

Shipper: N/A N/A

Cargo Tank: N/A

Business: Corporation

Gross Revenue: \$700,000.00

for year ending: 12/31/2006

Company Physical Address:

921-C COMMERCE CIRCLE
CHARLESTON, SC 29406

Contact Name: Gary F. Rea

Phone numbers: (1) 843- 571-7002 (2)

Fax 843-744-1272

E-Mail Address: garyrea@earthlink.net

Company Mailing Address:

7131 WINDMILL CREEK RD
CHARLESTON, SC 29414

Carrier Classification

Authorized for Hire

Cargo Classification

General Freight

Household Goods

Does carrier transport placardable quantities of HM? No

Is an HM Permit required? N/A

Driver Information

	Inter	Intra
< 100 Miles:	4	
>= 100 Miles:		

Average trip leased drivers/month: 0

Total Drivers: 4

CDL Drivers: 0

Equipment

	Owned	Term Leased	Trip Leased	Owned	Term Leased	Trip Leased
Truck	4	0	0			

Power units used in the U.S.: 4
Percentage of time used in the U.S.: 100





ON THE GO DELIVERIES INC

U.S. DOT #: 1274811

Review Date:

03/26/2007

Part A

QUESTIONS regarding this report or the Federal Motor Carrier Safety or
Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

South Carolina State Transport Police, Motor Carrier Compliance Unit
10322 Wilson Blvd., Building D-2, PO Box 1993
Blythewood, SC 29016

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Gary F. Rea

Name:

Title: President

Title:





ON THE GO DELIVERIES INC

U.S. DOT #: 1274811

Review Date:

03/26/2007

Part B Violations

1 FEDERAL	Primary: 391.21(a)	Discovered 4	Checked 4	Drivers/Vehicles In Violation 4	Checked 4
Description Using a driver who has not completed and furnished an employment application. Example Driver- Jimmy Follis - Trip Date - 10/22/2006.					
2 FEDERAL	Primary: 391.23(c)	Discovered 4	Checked 4	Drivers/Vehicles In Violation 4	Checked 4
Description Failing to investigate driver's background within 30 days of employment. Example Driver - Jimmy Follis - Trip Date - 10/23/2006.					
3 FEDERAL	Primary: 391.25(a)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
Description Failing to make an inquiry into the driving record of each driver to the appropriate State agencies in which the driver held a commercial motor vehicle operator's license at least once every 12 months. Example Driver - Jimmy Follis - Trip Date - 10/23/2006.					
4 FEDERAL	Primary: 391.51(b)(6)	Discovered 2	Checked 2	Drivers/Vehicles In Violation 2	Checked 2
Description Failing to maintain a list or certificate relating to violations of motor vehicle laws and ordinances required by 391.27. Example Driver - Jimmy Follis - Trip Date - 10/23/2006.					
5 STATE	Primary: 395.8(a) CFR Equivalent: 395.8(a)	Discovered 23	Checked 124	Drivers/Vehicles In Violation 3	Checked 4
Description Failing to require driver to make a record of duty status. Example Driver - Aaron Gray - Trip Date - 01/31/2007.					
6 STATE	Primary: 396.11(a) CFR Equivalent: 396.11(a)	Discovered 94	Checked 94	Drivers/Vehicles In Violation 4	Checked 4
Description Failing to require driver to prepare driver vehicle inspection report. Example Driver - Aaron Gray - Trip Date - 01/31/2007 - Vehicle Number 1.					





ON THE GO DELIVERIES INC

U.S. DOT #: 1274811

Review Date:

03/26/2007

Part B Violations**Safety Fitness Rating Information:**

Total Miles Operated 70,000
Recordable Accidents 0
Recordable Accidents/Million Miles 0.00

OOS Vehicle (CR): 0

Number of Vehicle Inspected (CR): 0

OOS Vehicle (MCMIS): 0

Number of Vehicles Inspected (MCMIS): 4

Your proposed safety rating is :

SATISFACTORY**Rating Factors****Acute Critical**

Factor 1:	S	0	0
Factor 2:	S	0	0
Factor 3:	S	0	0
Factor 4:	S	0	0
Factor 5:	N	0	0
Factor 6:	S	-	-

Corrective actions must be taken for any violations (deficiencies) identified on Part B of this report.



**Part B Requirements and/or Recommendations**

1. Copies of the regulations, forms, interpretations, and manuals are available from a variety of sources. Check the FMCSA website for a current list of suppliers: www.fmcsa.dot.gov/factsfigs/eta/forms.html.
2. Conduct periodic internal reviews of your driver qualification, hours of service control, maintenance, accident analysis/reporting, training, and other safety systems to ensure continued compliance with the FMCSR.
3. Obtain a copy of each driver's driving record and review it annually.
4. Ensure that all drivers are fully and properly qualified before operating in interstate commerce. Maintain a complete file as required for each driver, documenting the qualification process.
5. Require all drivers to prepare complete and accurate records of duty status for each day, and to submit them within 13 days. Maintain all duty status records on file, with all supporting documents, for at least 6 months.
6. Ensure that all documents supporting records of duty status (such as toll, fuel repair and other on-the-road expense receipts, as well as invoices, bills of lading, dispatch records, etc.) are kept on file for at least 6 months.
7. Toll receipts and other on-the-road expense receipts, invoices, bills of lading, dispatch records, and other "supporting document" must be kept on file for six (6) months. This requirement also applies to records generated by the use of owner-operators. You may keep legible photocopies in lieu of originals.
8. If you want some drivers to use the 100 air-mile radius exemption, make sure that the drivers meet all terms of the exemption, including being released from duty no more than 12 hours from when they report for duty. Logs must be prepared if a driver does not meet the 12 hour requirement.
9. Ensure that all drivers' records of duty status (logs) are accurate. Check them against "supporting documents" to verify accuracy. Prohibit falsification of logs by any driver. Review the rules on supporting documents. Take appropriate action against drivers who falsify logs.
10. Establish a systematic maintenance records program for all vehicles. Maintain a complete file for each subject vehicle, recording all repair, maintenance and inspection operations performed.
11. Require all drivers to prepare a written inspection report for each day a vehicle is operated. Ensure that each report is signed by the driver, certified, and reviewed if defects are reported, then kept in the vehicle for a day.
12. Keep all driver vehicle inspection reports, signed, certified, and reviewed as required on file for at least 90 days.
13. This review will result in a Safety Rating.
14. For questions about DOT numbers or biennial updates: 800-832-5660 or 703-280-4001
For questions about licensing, authority or MC numbers: 202-366-9805
For questions about insurance: 202-385-2423
For household goods complaints: 888-DOT-SAFT (888-368-7238)
15. NOTICE: On March 30, 2004, FMCSA published a final rule requiring employers to review a candidate's safety performance history data within 30 days of hiring a new driver. The final rule enables prospective employers to obtain and use more complete driver safety performance history during the hiring process. Prospective employers will be required to, at a minimum, investigate a driver's employment information, accident record, and alcohol and controlled substances history from all employers the driver worked for within the previous 3 years.





ON THE GO DELIVERIES INC

U.S. DOT #: 1274811

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03/26/2007

Part B Requirements and/or Recommendations

All previous employers are required to respond to the investigating employer within 30 days of receiving the investigation request.

Even though the final rule is effective April 29, 2004, motor carriers are not required to comply with the new rule until October 29, 2004. This 6-month period will allow motor carriers ample time to develop procedures and systems to implement this rule.

For more information on these regulations, please access the FMCSA Web site at www.fmcsa.dot.gov
<<http://www.fmcsa.dot.gov>>.

16. You may prepare a corrective action letter, addressing the measures taken to correct the violations identified within this report. Submit this letter, and any additional evidence necessary to prove the corrective action has been taken to:

Darrell Ruban
Field Administrator
Federal Motor Carrier Safety Administration
1800 Century Blvd.
Suite 1700
Atlanta, GA. 30345

Ensure that a CC copy of the letter is mailed to:
Curtis Thomas
Division Administrator/State Director
FMCSA, Specific Division
1835 Assembly Street
Columbia, SC 29201-2430

Ensure that a CC copy of the letter is mailed to:

South Carolina State Transport Police
Motor Carrier Compliance Unit
10311 Wilson Blvd.
Po Box 1993
Blythewood, South Carolina 29016

This Letter Should be submitted as soon as possible. If you have a proposed Unsatisfactory or Conditional Rating the letter must be Submitted prior to the effective date of your Unsatisfactory or Conditional Rating.

17.

Notice: On August 25, 2005, the FMCSA published a final rule revising the hours-of-service regulations for commercial motor vehicle drivers. The new federal hours of service (becomes effective on October 1, 2005, statutory requirements provide that FMCSA enforcement of the new HOS) regulations took effect October 1, 2005, which included changes to rule may only begin on October 25, 2005. FMCSA will provide the sleeper berth and short-haul provisions. These regulations only apply industry with a transitional period to properly adjust to the new HOS rules. The transitional period will be from October 1, 2005 and continue through December 31, 2005, and will allow carriers and commercial motor vehicle (cmv) drivers operating State enforcement agencies time to train their employees





ON THE GO DELIVERIES INC

U.S. DOT #: 1274811

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03/26/2007

Part B Requirements and/or Recommendations

From October 25, 2005 through December 31, 2005, FMCSA personnel will exercise discretion operating in interstate commerce. Passenger carriers and their drivers will continue operating under the pre-2003 rules while fatigue issues specific to the passenger carrier industry are assessed. Under the new rule, CMV drivers using the sleeper berth provision must take at least 8 consecutive hours enforcing the new rule. This is more fully explained hours in the sleeper berth, plus 2 consecutive hours either in the sleeper berth, off duty, or any combination of the two. The 14-hour on-duty window may not be extended with off-duty time for meal and fuel stops, etc. The prohibition on driving after being on duty 60 hours in 7 consecutive days, or 70 hours in 8 consecutive days, remains the same, but drivers can "restart" the 7/8 day period anytime a driver has 34 consecutive hours off duty. For more information on these regulations, please access the FMCSA website at www.fmcsa.dot.gov.

STARVING STUDENTS

PLEASE NOTE: The violations discovered during this compliance review may affect the civil penalty proposed in any subsequent Notice of Claim. In addition, your history of prior violations of the Federal Motor Carrier Safety Regulations, Federal Hazardous Material Regulations or the Federal Motor Carrier Commercial Regulations may also affect the civil penalty proposed in any subsequent Notice of Claim. Your signature for receipt of this report acknowledges your understanding that the violations discovered by the FMCSA during this review/inspection may be used to calculate any civil penalty proposed as a result of this review. Your signature is not an admission of the violations identified Attachment A. FMCSA will also strongly encourage our State partners to you by the investigator. show comparable enforcement discretion.



South Carolina State Transport Police



US DOT #
1274811

Legal: ON THE GO DELIVERIES INC
Operating (DBA):

MC/MX #: 529898

Federal Tax ID: [REDACTED]

Review Type: Compliance Review (CR) - Receipt

Scope: Principal Office

Location of Review/Audit: Company facility in the U. S.

Territory:

Operation Types Interstate Intrastate

Carrier: Non-HM Non-HM

Shipper: N/A N/A

Cargo Tank: N/A

Business: Corporation

Gross Revenue: \$700,000.00

for year ending: 12/31/2006

Company Physical Address:

921-C COMMERCE CIRCLE
CHARLESTON, SC 29406

Contact Name: Gary F. Rea

Phone numbers: (1) 843- 571-7002 (2)

Fax 843-744-1272

E-Mail Address: garyrea@earthlink.net

Company Mailing Address:

7131 WINDMILL CREEK RD
CHARLESTON, SC 29414

Report Summary

Report

of Pages

Part A - General

2

Part B - Violations

2

Part B - Recommendations

3

Review/Audit Receipt Page

1

Total Pages

8

Disclaimer: By signing below, I acknowledge that I have received a copy of this review/audit and agree with the total number of pages indicated (above) for each document. My signature does not imply agreement with the findings of the review/audit, however they have been discussed in detail with me.

QUESTIONS regarding this report or the Federal Motor Carrier Safety or Hazardous Materials rules may be addressed to the Office of Motor Carriers at:

South Carolina State Transport Police, Motor Carrier Compliance Unit
10322 Wilson Blvd., Building D-2, PO Box 1993
Blythewood, SC 29016

This report will be used to assess your safety compliance.

Person(s) Interviewed

Name: Gary F. Rea

Title: President

Name:

Title:

Reported By: *Terry W. Harvey*

Title: *S/T*

Code: SC0036 Date: 3/26/2007

Received By: *Gary F. Rea*

Title: *President*





ON THE GO DELIVERIES INC

U.S. DOT #: 1274811

Review Date:

03/26/2007

Safety Fitness Rating Explanation

This report lists the facts which were used to determine the Safety Fitness Rating for the above motor carrier. A check mark identifies the range within which the data fell when determining the Safety Fitness Rating. All information within a FACTOR block relates only to that FACTOR.

FACTOR 1**General (CFR Parts 387, 390)**

√ 0 Point = Satisfactory
1 Point = Conditional
>1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING**POINTS**

NONE

TOTAL POINTS: 0 = SATISFACTORY**FACTOR 2****Driver Qualification (CFR Parts 382, 383, 391)**

√ 0 Point = Satisfactory
1 Point = Conditional
>1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING**POINTS**

NONE

TOTAL POINTS: 0 = SATISFACTORY**FACTOR 3****Operational/Driving (CFR Parts 392, 395)**

√ 0 Point = Satisfactory
1 Point = Conditional
>1 Point = Unsatisfactory

VIOLATIONS AFFECTING RATING**POINTS**

NONE

TOTAL POINTS: 0 = SATISFACTORY**FACTOR 4****Vehicle/Maintenance (CFR Parts 393, 396, Performance Data (OOS%))**

Out-of-Service (OOS) Percentage: 0.0

VIOLATIONS AFFECTING RATING**POINTS**

NONE

TOTAL POINTS: 0 & 0.0% OOS = SATISFACTORY (see chart)

Fewer than 3 Inspections	3 or more Inspections	
	OOS Less than 34%	OOS 34% or Higher
	√ Satisfactory	Conditional
	Conditional	Unsatisfactory
Rate same as other Regulatory Factors 1, 2, and 3	If a pattern of Non-Compliance with a Critical or an Acute Violation	If a pattern of Non-Compliance with a Critical or an Acute Violation
0 Point = Satisfactory		
1 Point = Conditional		
>1 Point = Unsatisfactory		

FACTOR 5**Hazardous Material (CFR Parts 397, 171, 172, 173, 177, 180)****Not Applicable - Not a carrier of Hazardous Material**

NONE

FACTOR 6**Accident (Recordable Accident Rate)** $((\text{Recordable Accidents}) \times (1 \text{ million})) \div (\text{Total Miles}) = \text{Rate}$ $(0 \times 1,000,000) \div 70,000 = 0.00 = \text{SATISFACTORY}$ **URBAN CARRIER - All Driver operate within <100 air miles****ACCIDENT RATE****FACTOR RATING**

√ 0.000 - 1.700

=

Satisfactory

>1.700

=

Unsatisfactory

OVERALL SAFETY FITNESS RATING

Number of Factors (1-6) shown above as less than satisfactory

Unsatisfactory

Conditional

0

0

= SATISFACTORY





ON THE GO DELIVERIES INC

U.S. DOT #: 1274811

Review Date:

03/26/2007

Safety Fitness Rating Explanation

FORMULA TO CALCULATE THE OVERALL SAFETY FITNESS RATING

Number of Factors

Unsatisfactory	Conditional	OVERALL RATING
0	2 or fewer	Satisfactory
0	3 or more	Conditional
1	2 or fewer	Conditional
1	3 or more	Unsatisfactory
2	0 or more	Unsatisfactory



**ON THE GO DELIVERIES INC**

U.S. DOT #: 1274811

Review Date:

03/26/2007

Part C

Reason for Review: Company Request
Planned Action: Compliance Monitoring
Safestat Category: H

Parts Reviewed Certification:

325	382	383	387	390	391	392	393	395	396	397	398	399	171	172	173	177	178	180
		✓	✓	✓	✓	✓		✓	✓									

Prior Reviews**Prior Prosecutions****Unsat/Unfit Information**

Does passenger vehicle transport more than 15 passengers, including driver?

Does carrier transport placardable quantities of hazardous materials?

Unsat/Unfit rule: 60-Day - no Interstate Passengers or Placardable HM

Corporate Contact: Gary F. Rea
Corporate Contact Title: President

Special Study Information:**Remarks:**

This investigation was initiated because the carrier had applied to the South Carolina Public Service Commission for a Class E (HHG) certificate. This certificate requires that the carrier be in compliance with the Federal Motor Carrier Safety Regulations as adopted by South Carolina. Carrier requested an intrastate compliance review. During the investigation it was determined that the carrier was also an interstate carrier. This investigation was started on 3/21/2007.

On The Go Deliveries Inc. is owned and operated by Gary Rea, President. Carrier has 4 straight trucks with a gvwr. more than 10,001 lbs., but less than 26,001 lbs. Carrier mainly operates within South Carolina around the Charleston, South Carolina area, but on occasions goes out of South Carolina. Carrier transports general freight and household goods. All records were provided within 48 hours by Gary Rea, President and are kept at his principle place of business. Carrier had a New Entrant Safety Audit on 08/11/2005. Carrier did not have a copy of the Federal Motor Carrier Safety Regulations.

In Part 383, all vehicles and drivers were checked. CDL license not required. Driver records checked by CDLIS.

In Part 387, insurance verified and a copy of MCS-90 was obtained.

In Part 390, all vehicle were properly marked and carrier did not have any accidents.

In Part 391, driver files were missing the following documents: Application for employment were incomplete, previous employer inquiry was not done, list of violations, and mvr every 12 months.

In Part 393, a total of 4 Level 1,2,5 inspections were checked on carrier profile. Carrier had a 0 % OOS rate.

In Part 395, Carrier is claiming the 100 air mile radius exception. Rods are used when carrier goes over 100 miles are 12 hours.

A total of 124 time cards were checked with all being intrastate trips. Carrier had 23 of 124 checked no record of duty status. Time cards were not completed properly. Two interstate trips were documented within the last 12 months.

In Part 396, carrier had 94 of 94 checked 4 of 4 drivers who were not preparing driver vehicle inspection reports with all being intrastate trips.

Mr. Rea, President was very cooperative and stated that he would correct all violations immediately.





ON THE GO DELIVERIES INC

U.S. DOT #: 1274811

Review Date:

03/26/2007

Part C

Upload Authorized:	Yes	No
Authorized by:		Date:
Uploaded:	Yes	No
Verified by:		Date:
		Failure Code:



**ENDORSEMENT FOR
MOTOR CARRIER POLICIES OF INSURANCE FOR PUBLIC LIABILITY
UNDER SECTIONS 29 AND 30 OF THE MOTOR CARRIER ACT OF 1980**

Issued to **ON THE GO DELIVERIES, INC.** of **HANAHAN**, SC

Dated at **Naperville, IL** this **27** day of **NOVEMBER**, 2006

Amending Policy No. **TCP111002-00** Effective Date **11/2/2006**

Name of Insurance Company **TRANSQUARD INSURANCE COMPANY OF AMERICA, INC.**

Telephone Number

Countersigned by

John F. Bilton
Authorized Company Representative

The policy to which this endorsement is attached provides primary or excess insurance, as indicated by "X", for the limits shown:

☒ This insurance is primary and the company shall not be liable for amounts in excess of \$ **750,000** for each accident.

☐ This insurance is excess and the company shall not be liable for amounts in excess of _____ for each accident in excess of the underlying limit of _____ for each accident.

Whenever required by the Federal Highway Administration (FHWA) or the Interstate Commerce Commission (ICC), the company agrees to furnish the FHWA or the ICC a duplicate of said policy and all its endorsements. The company also agrees, upon telephone request by an authorized representative of the FHWA or the ICC, to verify that the policy is in force as of a particular date.

Cancellation of this endorsement may be effected by the company or the insured by giving (1) thirty-five (35) days notice in writing to the other party (said 35 days notice to commence from the date the notice is mailed, proof of mailing shall be sufficient proof of notice), and (2) if the insured is subject to the ICC's jurisdiction, by providing thirty (30) days notice to the ICC (said 30 days notice to commence from the date the notice is received by the ICC at its office in Washington, D.C.).

DEFINITIONS AS USED IN THIS ENDORSEMENT

ACCIDENT includes continuous or repeated exposure to conditions which result in bodily injury, property damage, or environmental damage which the insured neither expected nor intended.

MOTOR VEHICLE means a land vehicle, machine, truck, tractor, trailer, or semitrailer propelled or drawn by mechanical power and used on a highway for transporting property, or any combination thereof.

BODILY INJURY means injury to the body, sickness, or disease to any person, including death resulting from any of these.

ENVIRONMENTAL RESTORATION means restitution for the loss,

damage, or destruction of natural resources arising out of the accidental discharge, dispersal, release or escape into or upon the land, atmosphere, watercourse, or body of water, of any commodity transported by a motor carrier. This shall include the cost of removal and the cost of necessary measures taken to minimize or mitigate damage to human health, the natural environment, fish, shellfish, and wildlife.

PROPERTY DAMAGE means damage to or loss of use of tangible property.

PUBLIC LIABILITY means liability for bodily injury, property damage, and environmental restoration.

The insurance policy to which this endorsement is attached provides automobile liability insurance and is amended to assure compliance by the insured, within the limits stated herein, as a motor carrier of property, with Sections 29 and 30 of the Motor Carrier Act of 1980 and the rules and regulations of the Federal Highway Administration (FHWA) and the Interstate Commerce Commission (ICC).

In consideration of the premium stated in the policy to which this endorsement is attached, the insurer (the company) agrees to pay, within the limits of liability described herein, any final judgment recovered against the insured for public liability resulting from negligence in the operation, maintenance or use of motor vehicles subject to the financial responsibility requirements of Sections 29 and 30 of the Motor Carrier Act of 1980 regardless of whether or not each motor vehicle is specifically described in the policy and whether or not such negligence occurs on any route or in any territory authorized to be served by the insured or elsewhere. Such insurance as is afforded, for public liability, does not apply to injury to or death of the insured's employees while engaged in the course of their employment, or property transported by the insured, designated as cargo. It is understood and agreed that no condition, provision, stipulation, or limitation contained in the policy, this endorsement, or any other endorsement thereon, or

violation thereof, shall relieve the company from liability or from the payment of any final judgment, within the limits of liability herein described, irrespective of the financial condition, insolvency or bankruptcy of the insured. However, all terms, conditions, and limitations in the policy to which the endorsement is attached shall remain in full force and effect as binding between the insured and the company. The insured agrees to reimburse the company for any payment made by the company on account of any accident, claim, or suit involving a breach of the terms of the policy, and for any payment that the company would not have been obligated to make under the provisions of the policy except for the agreement contained in this endorsement.

It is further understood and agreed that, upon failure of the company to pay any final judgment recovered against the insured as provided herein, the judgment creditor may maintain an action in any court of competent jurisdiction against the company to compel such payment.

The limits of the company's liability for the amounts prescribed in this endorsement apply separately, to each accident, and any payment under the policy because of any one accident shall not operate to reduce the liability of the company for the payment of final judgments resulting from any other accident.

The Motor Carrier Act of 1980 requires limits of financial responsibility according to the type of carriage and commodity transported by the motor carrier. It is the MOTOR CARRIER'S obligation to obtain the required limits of financial responsibility.

THE SCHEDULE OF LIMITS SHOWN ON THE REVERSE SIDE DOES NOT PROVIDE COVERAGE.

The limits shown in the schedule are for information purposes only.

SCHEDULE OF LIMITS
Public Liability

Type of Carriage	Commodity Transported	Minimum Insurance
(1) For-hire (In interstate or foreign commerce).	Property (nonhazardous).	\$ 750,000
(2) For-hire and Private (In interstate, foreign, or intrastate commerce).	Hazardous substances, as defined in 49 CFR 171.8, transported in cargo tanks, portable tanks, or hopper-type vehicles with capacities in excess of 3,500 water gallons; or in bulk Divisions 1.1, 1.2, and 1.3 materials; any quantity of Division 2.3 Hazard Zone A or Division 6.1, Packing Group 1, Hazard Zone A material; in bulk Division 2.1 or 2.2; or highway route controlled quantities of a Class 7 material as defined in 49 CFR 173.403.	5,000,000
(3) For-hire and Private (In interstate or foreign commerce; in any quantity) or (In intrastate commerce; in bulk only).	Oil listed in 49 CFR 172.101; hazardous materials and hazardous substances defined in 49 CFR 171.8 and listed in 49 CFR 172.101, but not mentioned in (2) above or (4) below.	1,000,000
(4) For-hire and Private (In interstate or foreign commerce).	Any quantity of Division 1.1, 1.2 or 1.3 material; any quantity of a Division 2.3, Hazard Zone A, or Division 6.1, Packing Group 1, Hazard Zone A material; or highway route controlled quantities of a Class 7 material as defined in 49 CFR 173.403.	5,000,000

Note: The type of carriage listed under numbers (1), (2), and (3) applies to vehicles with a gross vehicle weight rating of 10,000 pounds or more. The type of carriage listed under number (4) applies to all vehicles with a gross vehicle weight rating of less than 10,000 pounds.

SCHEDULE OF LIMITS
Public Liability

For-hire motor carriers of passengers operating in interstate or foreign commerce

Vehicle Seating Capacity	Minimum Insurance
(1) Any vehicle with a seating capacity of 16 passengers or more.	\$ 5,000,000
(2) Any vehicle with a seating capacity of 15 passengers or less.	1,500,000

In witness whereof, the company has caused this policy to be executed and attested, but this policy shall not be valid unless countersigned by a duly authorized representative of the company.


SECRETARY


PRESIDENT

091001 (07/03)

AGENT/BROKER COPY

004/004

03/18/2007 10:52 FAX